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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/926,205	09/24/2001	Kanetaka Sekiguchi	011231	6237	
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	ARMSTRONG, WESTERMAN & HATTORI, LLP			EXAMINER	
1725 K STREET, NW SUITE 1000			DUONG, TAI V		
WASHINGTON, DC 20006			ART UNIT	PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Application N. Operation Summary Sexigue	3.5			(A)			
## Description Part			Application N .	Applicant(s)			
Tail Duong 2871 The MAILING DATE of this communication appears on the cover sheet with the correspond not address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the pariod for reply specified above is kees han thirty (30) caps, a reply within the stability retrieval large and value of the communication. If the pariod for reply specified shows the maximum extrainty period value gains 24 of thirty (30) days, with be considered timely. If the pariod for reply specified shows the maximum extrainty period value gains 24 of the property of the pariod for reply specified above is kees han thirty (30) caps, a reply with the stability retrieval replay and value gains 25 (5) there are particularly serieval and the particular period value gain value and particularly replay received by the Communication. If the pariod for reply specified and the particular period value gain and the particular period value gain and the particular period value of this communication, even if limits filed, may reduce any search grades that many light and the particular period value and particularly replayed value and			09/926,205	SEKIGUCHI, KANETAKA			
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1) Responsive to communication(s) filed on 10.July 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 3-7, 11. 12 and 15-33 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s)	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any						
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The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 3-7, 11-15, 17-21, 23, 24, 26, 27 and 29-33 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3-8, 10-14,17 and 18 of U.S. Patent No. 6,556,515. Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant claims 3-7, 11, 15 and 17 are *anticipated* by claims 3-8, 10 and 17 of the above patent. The only differences between the patent claims and the instant claims are the preamble of the patent claims. The preamble of the patent claims recites "A timepiece with a liquid crystal display panel for displaying either time information or calendar information or both,". The body of the patent claims is identical to the instant claims.

Claims 16, 22, 25 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Applicant's arguments with respect to claims 3-7, 11, 15 and 17 have been considered but are most in view of the new ground(s) of rejection.

Any inquiry concerning this communication should be directed to Tai Duong at telephone number 703 308-4873.

TVD

09/03

PRIMARY EXAMINER